

**SECOND DAY**  
(Tuesday, May 25, 1982)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Brooks, Brown, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Uribe, Vale, Williams, Wilson.

Absent-excused: Caperton.

A quorum was announced present.

The Reverend Dr. Gerald Mann offered the invocation as follows:

Our Father, Deliver us today from those who want to let their conscience be our guide. Amen.

On motion of Senator Mauzy and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVE OF ABSENCE**

Senator Caperton was granted leave of absence for today on account of important business on motion of Senator Glasgow.

**SENATOR-ELECT PRESENTED**

The President introduced Senator-elect Chet Edwards of the 9th Senatorial District.

Mr. Edwards was welcomed by the Members.

**GUESTS PRESENTED**

Senator Brooks was recognized and presented as guests today Carl Tubbesing, Senior Program Director, Legislative Services and Bill Pound, Director of State Services, National Council of State Legislatures.

**SENATE RESOLUTIONS ON FIRST READING**

The following resolutions were introduced, read first time and referred to the Committee indicated:

**S.J.R. 7** by Brooks Education  
Proposing a constitutional amendment to repeal the state property tax and restructure the permanent university fund.

**S.J.R. 8** by Wilson Finance  
Proposing a constitutional amendment exempting implements of husbandry from ad valorem taxation.

**S.C.R. 3** by Wilson

Finance

Requesting the Attorney General to revise his opinion to reflect that the legislative intent of the 67th Legislature in amending the Property Tax Code providing for the exemption of implements of farming and ranching from taxation without regard to whether the property owner is an individual, partnership or corporation.

**SENATE RULE 103 SUSPENDED**

On motion of Senator Blake and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Administration might consider S.C.R. 1 today on adjournment.

**MEMORIAL RESOLUTIONS**

**S.R. 39** - By Howard: Memorial resolution for Alford Henderson Flanagan.

**S.R. 42** - By Glasgow: Memorial resolution for John C. Wallace, Jr.

**S.R. 43** - By Glasgow: Memorial resolution for Mac Allen Bigelow.

**S.R. 44** - By Glasgow: Memorial resolution for Arthur Lee Berry.

**S.R. 45** - By Glasgow: Memorial resolution for Mrs. Leah Simms.

**S.R. 46** - By Glasgow: Memorial resolution for Mrs. Claudia N. Ramos.

**S.R. 50** - By Doggett: Memorial resolution for Professor Bernard J. Ward.

**WELCOME AND CONGRATULATORY RESOLUTIONS**

**S.R. 41** - By Doggett: Extending welcome to National Black Women's Political Caucus.

**S.R. 47** - By Doggett: Extending congratulations to Associate Professor Joe Conley Bowling.

**S.R. 48** - By Doggett: Extending congratulations to Dr. Joseph L. Love, "General Practitioner of the Year".

**S.R. 49** - By Doggett: Extending congratulations to Mrs. Connie I. Vorhes Stedman.

**ADJOURNMENT**

On motion of Senator Mauzy the Senate at 10:27 o'clock a.m. adjourned until 10:00 o'clock a.m. tomorrow.

In Memory

of

Bill Hilliard

Senator Andujar offered the following resolution:

(Senate Concurrent Resolution 4)

WHEREAS, With the death of former State Representative Bill Hilliard, the State of Texas lost one of its greatest and most useful citizens whose wise counsel and good judgment and the influence of an active and public-spirited life will be deeply missed by all who knew him; and

WHEREAS, A native of Martin, Tennessee, Representative Hilliard graduated from Martin High School and attended Martin Business College before serving with great honor in World War II; and

WHEREAS, This fine gentleman was employed by Southland Life Insurance Company for 31 years before opening the General Insurance Company, a highly successful Fort Worth business; and

WHEREAS, Elected to the Texas House of Representatives in 1971, Representative Hilliard drew on his vast knowledge of the insurance field while chairman of the Subcommittee on Life and Health Insurance, investigating fraud in the industry; and

WHEREAS, Always a gentleman and extremely personable, Representative Hilliard earned the respect and friendship of his fellow legislators and staff members; and

WHEREAS, An active member of the Sagamore Hill Baptist Church, Representative Hilliard had served as superintendent of the Sunday school; and

WHEREAS, His contributions to his community were immeasurable and he selflessly devoted thousands of hours to various civic, religious, and philanthropic organizations; including the East Side Kiwanis Club, the Fort Worth Rehabilitation Farm, the East Side Young Men's Christian Association, the Shriners, the Fort Worth Chamber of Commerce, and the Fort Worth Jaycees; and

WHEREAS, A man of bedrock honesty and integrity, this eminently wise and beloved former solon will be missed by all whose lives he touched; now, therefore, be it

RESOLVED by the Senate of the State of Texas, 67th Legislature, 2nd Called Session, the House of Representatives concurring, That honor be paid to the memory of former Representative Bill Hilliard and deep sympathy be extended to his wife, Lee; his son, William T. Hilliard, Jr.; and his grandson; and, be it further

RESOLVED, That copies of this resolution be prepared for the members of his family as an expression of sympathy from the Texas Legislature, and that when the legislature adjourns this day, it do so in memory of Bill Hilliard.

ANDUJAR  
GLASGOW

The resolution was read.

On motion of Senator Glasgow and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.

On motion of Senator Andujar and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

In Memory

• of

D. B. Hardeman

Senator Doggett offered the following resolution:

(Senate Concurrent Resolution 5)

WHEREAS, With the death of D. B. Hardeman, Texans witnessed the close of the career of one whose footsteps marked service and progress on every path he chose to travel; and

WHEREAS, Known as one of the great raconteurs about Texas politics and one of the nation's leading authorities on Congress and its institutions, Mr. Hardeman had been a legendary figure in the Texas Democratic Party since the liberal-conservative brawls of the 1940s and 1950s which split the party into two warring factions; and

WHEREAS, Born in Goliad, Texas, in 1914, Mr. Hardeman entered The University of Texas in 1929; he returned in the late 1930s and was elected editor of The Daily Texan where his appetite for political battle was whetted when he clashed with the university regents over their designation of an official censor in the Texan office; and

WHEREAS, While at the university, Mr. Hardeman met two future governors whose careers would be closely linked with his own: Dolph Briscoe, destined to become a lifelong friend and Allan Shivers, destined to be a political adversary; and

WHEREAS, Mr. Hardeman's own introduction into the rough and tumble of Texas politics came when in 1946 he managed Homer T. Rainey's gubernatorial campaign against Beauford Jester, the first of the Democratic Party hostilities; and

WHEREAS, Spurred on by this taste of Texas politics, Mr. Hardeman successfully ran for the State House of Representatives in 1950; along with his friend Dolph Briscoe, D. B. Hardeman became part of a reform group in the House of Representatives, nicknamed the "Gas House Gang" who clashed repeatedly with Governor Allan Shivers over his legislative program; and

WHEREAS, After his outstanding service to the State of Texas, Mr. Hardeman entered the national political arena in 1952 when he helped to organize Adlai Stevenson's presidential campaign; his intellect and expertise were recognized by Sam Rayburn who brought him to Washington where he became the representative's top aide and a member of President Johnson's inner circle; and

WHEREAS, While in Washington, he became an expert on Congress and its institutions and became invaluable to those he served; and

WHEREAS, Mr. Hardeman spent his later years between Washington and San Antonio where he imparted his vast knowledge to numerous University of Texas students; and

WHEREAS, D. B. Hardeman will be remembered by all who knew him for his compassion, strength, and sense of humor; and

WHEREAS, He established a permanent place for himself in the annals of Texas history and politics, and he will be deeply missed by the scores of people who benefitted from his experience and expertise; now, therefore, be it

RESOLVED by the Senate of the State of Texas, 67th Legislature, 2nd Called Session, the House of Representatives concurring, That the Texas Legislature pay tribute to the memory of D. B. Hardeman who embodied true Texas principles and ideals; and, be it further

RESOLVED, That copies of this resolution be prepared for the members of his family as an expression of deep sympathy from the Texas Legislature, and that when the legislature adjourns this day, it do so in memory of D. B. Hardeman.

DOGGETT  
FARABEE

The resolution was read.

On motion of Senator Farabee and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

In Memory

of

H. J. "Doc" Blanchard

Senator Doggett offered the following resolution:

(Senate Concurrent Resolution 6)

WHEREAS, The State of Texas lost one of its most distinguished and respected citizens with the death of H. J. "Doc" Blanchard, former State Representative and Senator, on March 21, 1982; and

WHEREAS, This esteemed legislator, born in Denison, was a graduate of Texas Tech University and the Southern Methodist University School of Law; and

WHEREAS, Senator Blanchard served two terms in the Texas House of Representatives, beginning in 1957 as a member from Lubbock; during the 58th through 63rd legislatures, he represented the 28th District of West Texas in the Texas Senate; and

WHEREAS, During his illustrious tenure as lawmaker, he exercised legislative leadership as chairman of the Senate Insurance, Labor, and Management Relations Committee, and the Economic Development Committee, in addition to heading the joint House-Senate Legislative Property Tax Committees; and

WHEREAS, Senator Blanchard also had a colorful side to his personality, which made him a popular figure among his colleagues in the legislature; while still recovering from open-heart surgery in 1973, he obtained the permission of fellow senators to conduct the first "seated filibuster" staged in the Senate; and

WHEREAS, This outstanding man was respected and admired by the many people who knew him, worked with him, and counted him among their good friends, and he will be missed by the people of West Texas and by many people throughout the state; now, therefore, be it

RESOLVED by the Senate of the State of Texas, the House of Representatives concurring, That the 67th Legislature, 2nd Called Session, join the family and friends of the Honorable H. J. "Doc" Blanchard in mourning the death of this former legislator and offer sympathy to members of his family: his wife, Mary Beth Blanchard of Austin; his daughters, Adrienne Blanchard of Lubbock and Lauren Blanchard of Austin; his sons, John Ben Blanchard, Hank Blanchard, and Cliff Blanchard of Lubbock, Jeffrey Blanchard, Keith Blanchard, Creig Blanchard, and Brooks Edward Blanchard of Austin; his mother, Mrs. C. H. Blanchard of Lubbock; and his brothers, C. H. Blanchard, Jr., and Jimmy Blanchard of Lubbock; and, be it further

RESOLVED, That official copies of this resolution be prepared for the members of the family, that pages be set aside in the journals of the House and Senate in his honor, and that when the two houses of the Texas Legislature adjourn this day, they do so in memory of former legislator H. J. "Doc" Blanchard.

DOGGETT  
McKNIGHT  
HARRIS  
SHORT

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.



In Memory

of

Howard Augustus Carney, Sr.

Senator Howard offered the following resolution:

(Senate Resolution 40)

WHEREAS, The City of Atlanta and the State of Texas lost an outstanding citizen and eminent legal scholar with the death of former State Senator and Secretary of State Howard Augustus Carney, Sr., on January 17, 1982; and

WHEREAS, This wise and compassionate man was born in Atlanta, Texas, on January 20, 1904, the son of former Cass County District Judge Hugh Carney and Mrs. Carney; and

WHEREAS, Before embarking on his successful legal career, Senator Carney worked for a railroad company; he then attended Cumberland Law School in Lebanon, Tennessee, and received his law license in 1926; and

WHEREAS, Senator Carney devoted over 50 years to the challenges of civil and criminal law; in 1930 Senator Carney and his father established the law firm of Carney and Carney, which became Carney, Mays and Carney, one of the most respected law firms in East Texas; and

WHEREAS, One of the relatively few attorneys who argued two cases before the United States Supreme Court, Senator Carney's skillful presentation and quick legal mind helped him to win both cases; and

WHEREAS, Despite his flourishing legal career, Senator Carney served the people of Texas with great distinction and honor; in 1944 he was elected to the Texas Senate where he served as Chairman of the Civil Jurisprudence Committee, the Game and Fish Committee, and the Finance Committee; in 1951 he was elected President Pro Tempore of the Senate; Senator Carney's proudest moment came when he was inaugurated Governor for a Day on June 5, 1952; and

WHEREAS, Not content to rest upon his laurels, Senator Carney served as Secretary of State for a year and a half under Governor Allan Shivers, and he later continued his public service on the Game and Fish Commission for another eight years; and

WHEREAS, Senator Carney gave much of himself to his beloved Atlanta; he strove to improve the educational opportunities offered young Atlantans by serving on the Atlanta Independent School District Board of Trustees; he was a charter member of the Lions Club and a devout communicant of the First Baptist Church where he taught Sunday School classes for 35 years; in spite of these demanding activities Senator Carney was an initial player on the Atlanta Rabbit football team; and

WHEREAS, In 1937, Senator Carney married the lovely and gracious Aline Cochran whom he loved and cherished during their long and happy marriage; Senator and Mrs. Carney were the proud parents of three fine children, Sally Bos, Carol Dillon, and Howard A. Carney, Jr.; and

WHEREAS, Howard A. Carney, Sr., established a permanent place for himself in the hearts of his many loyal friends and his family can point with pride to his many achievements; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 68th Legislature, honor the life of Howard A. Carney, Sr., an outstanding public servant who gave unstintingly of his time and substance, a loyal and devoted family man and a true friend to all who knew him; and, be it further

RESOLVED. That copies of this Resolution be prepared as an expression of sympathy from the Texas Senate for the members of his family, and that when the Senate of Texas adjourns this day, it do so in memory of Howard Augustus Carney, Sr.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.

On motion of Senator Howard and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

In Memory

of

Jerry Sadler

Senator Short offered the following resolution:

(House Concurrent Resolution 4)

WHEREAS, Jerry Sadler, former Railroad Commissioner, State Representative, and Land Commissioner, died on February 25, 1982, at the age of 72, and the death of this veteran politician is a loss to the many friends who knew and respected him, as well as to all the people in the state; and

WHEREAS, This colorful and outstanding East Texan, who had been active in the state's political arena for almost 44 years, was a native of Grapeland in Anderson County, where he remained a lifelong resident; and

WHEREAS, Mr. Sadler, a self-taught lawyer, began his public service career as a political unknown in 1938 when he challenged an incumbent railroad commissioner for the office and was elected; and

WHEREAS, From 1939 to 1943, he served on the Railroad Commission of Texas, then resigned his office to join the army during World War II; and

WHEREAS, This remarkable individual was later elected to three consecutive terms as a member of the House of Representatives from 1955 to 1961; and

WHEREAS, Mr. Sadler continued to maintain his commendable record of hard work and capable service to the citizens of the state as Land Commissioner from 1961 to 1971; Land Commissioner Bob Armstrong described the former officeholder as "a hard and unyielding fighter for what he believed in," and further credited Mr. Sadler with initiating the first significant increase in royalties on state land; and

WHEREAS, Remembered also as a fond practitioner of snuff dipping, he once remarked in his characteristically homespun manner, that, "Snuff dippers don't talk too much, so they do considerably more thinking"; and

WHEREAS, In the same manner in which this notable public servant worked to benefit the best interests of the state, Mr. Sadler also actively contributed to the betterment of his community of Grapeland and Anderson County through his numerous civic efforts there; now, therefore, be it

RESOLVED by the House of Representatives, the Senate concurring, That the 67th Legislature of the State of Texas, 2nd Called Session, pay tribute to the life of Jerry Sadler and extend deep sympathy to his family: to his wife, Laura Jones Sadler of Hickory Grove; and to his two sons; Bill Sadler and Sam Sadler, both of Houston; and, be it further

RESOLVED, That official copies of this resolution be prepared for members of the family and that when the two houses of the Texas Legislature adjourn this day, they do so in memory of Jerry Sadler.

The resolution was read.

On motion of Senator Blake and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.

On motion of Senator Short and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.